

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

244

CRM-M-20673-2022

Date of Decision:04.01.2024

GURMEJ SINGH AND ORS

.....Petitioner

Vs.

STATE OF PUNJAB AND ORS

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. K.S. Bal, Advocate
for the petitioners.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Naveen Madan, Advocate
for respondent No. 2.

Mr. Sachin Gupta, Advocate
for respondent No.3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.91 dated 08.12.2021 registered under Sections 406 of Indian Penal Code Act, 1860 registered at Police Station Bhaini Mian Khan, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 10.02.2022 (Annexure P-2).

This Court vide order dated 21.11.2023 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before

Learned Judicial Magistrate 1st Class and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 16.12.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.91 dated 08.12.2021 registered under Sections 406 of the IPC, 1860 registered at Police Station Bhaini Mian Khan, District Gurdaspur and all subsequent proceedings arising therefrom on the basis of compromise dated 10.02.2022 (Annexure P-2), are quashed qua the petitioner.

(DEEPAK GUPTA)
JUDGE

04.01.2024

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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No